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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/966,696	09/28/2001	Joseph R. Hedrick	0112300-449	5013

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BELL, BOYD & LLOYD LLC  
P. O. BOX 1135  
CHICAGO, IL 60690-1135

EXAMINER

RADA, ALEX P

ART UNIT	PAPER NUMBER
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3714

DATE MAILED: 12/12/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/966,696

Applicant(s)

HEDRICK ET AL.

Examiner

Alex P. Rada

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 20 and 21 is/are allowed.
- 6) ☒ Claim(s) 1-5, 7, 11-15, 18-19 and 22-25 is/are rejected.
- 7) ☒ Claim(s) 6, 8-10, 16 and 17 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Fey.
3. Fey discloses a cabinet, a support connected to the cabinet and a container-item holder connected to the support.
4. Claims 1 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Boushy '013.
5. Boushy discloses a cabinet, a support connected to the cabinet and a container-item holder connected to the support (figure 13).
6. Claims 1-5, 7, 11-15, 18-19 and 22-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Takatoshi JP '558.
7. Takatoshi discloses a cabinet, a support connected to the cabinet and a container-item holder connected to the support (figure 1) as recited in claims 1 and 22; the support includes a bolster (24) as recited in claims 2 and 23; the bolster includes a vertically extending channel adapted to receive the container-item holder as recited in claim 3; the container-item holder includes a container holder and an item holder (10) connected to the container holder as recited in claim 4; the item holder is rotatably connected (33) to the container holder as recited in claims 5 and 14; the item holder includes a hook (31) as recited in claim 7; the item holder includes a

connecting portion and a securing portion connected to the connecting portion (figures 1-7) as recited in claims 11 and 18; the securing portion includes means for inhibiting an item from being easily removed from the item holder (figures 3-7) as recited in claims 12 and 19; a container holding portion adapted to be mounted to the support and an item holding portion connected to the container holding portion (figure 1) as recited in claim 13; the container holding portion (10) includes a base, a body extending from the base and body defining a chamber for receiving and holding a container as recited in claim 15; the channel is cylindrical (21) as recited in claim 24; and the channel extends substantially vertically through the entire support as recited in claim 25.

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 2 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boushy in view of Wells '805.

10. Boushy discloses the claimed invention as discussed above except for the support includes a bolster. Well teaches a support including a bolster. By having a bolster, one of ordinary skill in the art would be comfortable while playing a game. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify

Boushy to include a bolster as taught by Wells. To do so would be able to provide game players with a relaxed ergonomic comfort.

11. Claims 2 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fey in view of Wells '805.

12. Fey discloses the claimed invention as discussed above except for the support including a bolster. Well teaches a support including a bolster. By having a bolster, one of ordinary skill in the art would be able to provide comfortable playing area. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the applicants invention was made to modify Fey to include a bolster as taught by Wells. To do would be able to provide a comfortable hand rest for game players.

#### ***Allowable Subject Matter***

13. Claims 20-21 are allowed.

14. Claims 6, 8-10, and 16-17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Conclusion***

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Katsuhiko JP '606 discloses a pachinko game machine having a cup holder in an appropriate position on the front surface of the pachinko game machine.

Perez `229 discloses a support device for a gaming machine.

Rowe `597 discloses a personal convenience unit for use with a gaming machine having various compartments and amenities.

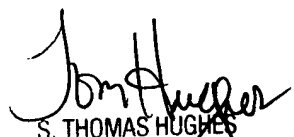
Buccioni `612 discloses a carrier for hockey equipment including a generally box-shaped container body, which is molded in a high-impact plastic material.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alex P. Rada whose telephone number is 703-308-7135. The examiner can normally be reached on Monday - Friday, 08:00-16:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Hughes can be reached on 703-308-1806. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9302 for regular communications and 703-872-9303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1148.

APR  
apr  
December 6, 2002

  
S. THOMAS HUGHES  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3700